

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

U.S. BANK, N.A.,

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Plaintiff,  
VS.

Case No.: 2:18-cv-00092-GMN-NJK

## 9008 MEDICINE WHEEL TRUST,

)

Defendant.

)

## ORDER

## 9008 MEDICINE WHEEL TRUST,

)

## Defendant.

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## Defendant.

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On August 18, 2018, the Court granted Defendant 9008 Medicine Wheel Trust's

(“Defendant’s”) Motion to Dismiss Plaintiff’s Complaint. (*See* Order, ECF No. 24). The Court dismissed with prejudice Plaintiff’s quiet title and declaratory relief claims and dismissed with leave to amend Plaintiff’s unjust enrichment claim. (*Id.* 7:14–15).

The Court permitted Plaintiff to file an amended complaint as to the unjust enrichment claim in the above-captioned case within twenty-one (21) days of the Order's issuance. (*Id.* 7:18–22). The Court stated that “[f]ailure to file a second amended complaint by this date shall result in the dismissal of Plaintiff's claims dismissed herein with prejudice.” (*Id.*). To date, Plaintiff has failed to file an amended complaint and the deadline to do so has passed.

Accordingly,

**IT IS HEREBY ORDERED** that the above-captioned action is dismissed with prejudice.

The Clerk of the Court shall enter judgment accordingly.

**DATED** this **22** day of October, 2018.



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Gloria M. Navarro, Chief Judge  
United States District Court